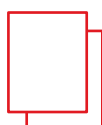


# INVOCATION OF THE AUTHOR- PUBLISHER- ARBITRATION COMMITTEE



## Application for pay-out-block

Author applies at GEMA for a pay-out-block for non-fulfilment of publishers' services. GEMA requests a statement from the publisher. If the publisher contradicts the claim asserted, GEMA initiates the pay-out-block for the publisher's workshare (Articles 7 and 10 of the distribution plan)



## Pay-out-block is established

After the pay-out-block is established author and publisher shall receive a notification from GEMA with

- a reference number
- information on potential courses of action (joint declaration, invocation of the Author-Publisher-Arbitration Committee or commencement of a lawsuit)
- indication of the 6-month period for the invocation of the Author-Publisher Arbitration Committee
- form for the invocation of the Author-Publisher-Arbitration Committee

*6 months for the  
invocation*



## Author or publisher invokes the Author-Publisher Arbitration Committee within 6 months

Conditions for the invocation:

- no previous commencement of a lawsuit by the author or the publisher
- transfer of a payment of EUR 714 (case lump-sum of EUR 600 plus 19 % VAT) to GEMA
- use the form for the invocation of the Author-Publisher-Arbitration Committee
- provide grounds for the invocation
- attach 5 copies of all relevant documents (publishing agreement etc.) and the bank transfer voucher

GEMA examines the invocation form and the documents for their completeness



*6 months for the settlement ruling*

#### Forwarding of the invocation form and the documents

- GEMA forwards the invocation form and the documents to the Chairman of the Author-Publisher- Arbitration Committee
- Chairman forwards the invocation form and the documents to the respective members of the Author-Publisher-Arbitration Committee in charge of the decision and to the defendant



#### Statement by the defendant

- The defendant may issue a written statement within a month
- Chairman forwards the statement to the respective members of the Author-Publisher Arbitration Committee in charge and to the claimant



#### Proceedings and settlement ruling

- Chairman determines the type of proceeding. Should an oral hearing have been requested by the parties or be necessary in the opinion of the Chairman, the Chairman will summon a meeting.
- Author-Publisher-Arbitration Committee issues a settlement ruling and informs the parties accordingly.

#### Pay-outs after the settlement ruling

Parties accept the settlement ruling by a joint declaration and/or no party brings a lawsuit within a period of 6 months after the settlement ruling

#### Contact information:

Monday - Thursday, 11.00 – 17.00

Friday, 9.00 – 16.00

Tel: +49 (0) 30 212 45 300

E-Mail: [mitgliederservice@gema.de](mailto:mitgliederservice@gema.de)

*Further 6 months for commencement of a lawsuit*

#### Ordinary courts of law

- The unsuccessful party commences a lawsuit within another 6 months after the settlement ruling
- Pay-out block will be upheld until a legally binding decision has been made
- GEMA pays out on the basis of the legally binding decision